

IN THE UNITED STATES COURT OF APPEALS  
FOR THE FIFTH CIRCUIT

United States Court of Appeals  
Fifth Circuit

**FILED**

July 22, 2008

Charles R. Fulbruge III  
Clerk

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No. 06-60330  
Summary Calendar

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ZYGMUNT KIEREWICZ

Petitioner

v.

MICHAEL B MUKASEY, U S ATTORNEY GENERAL

Respondent

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Petitions for Review of an Order of the  
Board of Immigration Appeals  
BIA No. A19 241 220

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Before JOLLY, DENNIS, and PRADO, Circuit Judges.

PER CURIAM:\*

Zygmunt Kierewich, a native and citizen of Poland, filed a petition for review of the Board of Immigration Appeals' (BIA) denial of his August 16, 2006, motion to reopen removal proceedings. The BIA determined, among other things, that the motion was untimely under 8 U.S.C. § 1229a(c)(7) and 8 C.F.R. § 1003.2(c).

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\* Pursuant to 5TH CIR. R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR. R. 47.5.4.

This court cannot undertake review of an agency's discretionary determination where there is "no meaningful standard against which to judge the agency's exercise of discretion." *Heckler v. Chaney*, 470 U.S. 821, 830 (1985). There are no guidelines directing the BIA's decision whether to reconsider on its own motion. See 8 C.F.R. § 1003.2(a). Therefore, this court has no jurisdiction to review the BIA's decision to deny Kierewicz's untimely motion to reopen. See *Enriquez-Alvarado v. Ashcroft*, 371 F.3d 246, 249-50 (5th Cir. 2004) (concluding that appellate courts were precluded from reviewing an immigration judge's denial of an untimely motion to reopen).

Accordingly, Kierewicz's petition for review is DENIED.